

## **REMARKS**

Claims 1, 18-22, 30, and 35 have been amended, and claims 2-17, 24-29, and 31-34 have been cancelled without prejudice or disclaimer. Claims 1, 18-23, 30, and 35 are pending in the instant application. The amendments to claims 18-22, 30, and 35 have been made merely to place the claims in proper dependent format and not to overcome a rejection. Applicants contend, therefore, that the amendments to these claims were not made for a reason that would give rise to estoppel, and further, have no effect on – including a narrowing of – the proper scope of the claimed subject matter. No new matter has been added as a result of the above-described amendments.

With respect to the Restriction Requirement mailed February 8, 2005, Applicants elect to prosecute claims 1, 17-23, 30, and 35, which the Action designates as the invention of Group 73, and which the Action states are drawn to a trimeric polypeptide comprising three monomers comprising a trimerising domain derived from tetranectin, the monomer selected from the group consisting of TN-2-B (SEQ ID NO: 106), TN-2-C (SEQ ID NO: 108) TN-2-D (SEQ ID NO: 107), and AD1D4-GSS-I10 (SEQ ID NO: 109). It is Applicants' understanding that the amino acid sequence set forth in SEQ ID NO: 106 corresponds to the invention of Group 74, the amino acid sequence set forth in SEQ ID NO: 108 corresponds to the invention of Group 74, the amino acid sequence set forth in SEQ ID NO: 107 corresponds to the invention of Group 74, and the amino acid sequence set forth in SEQ ID NO: 109 corresponds to the invention of Group 75. Applicants, therefore, further elect to prosecute the amino acid sequence set forth in SEQ ID NO: 106, with traverse. The basis for Applicants' traversal of the election requirement is as follows.

Applicants respectfully submit that there will be no undue hardship on the Office in performing a search with respect to the amino acid sequences of SEQ ID NOs: 106, 107, and 108. Exhibit A illustrates that all three of these sequences share substantial sequence identity and similarity. In particular, the sequence of SEQ ID NO: 106 differs from the sequences of SEQ ID NO: 107 and 108 at only position 166, the sequence of SEQ ID NO: 107 differs from the sequences of SEQ ID NO: 106 and 108 at only position 147, and the sequence of SEQ ID NO: 108 differs from the sequences of SEQ ID NO: 106 and 107 at only positions 125 and 149. Other than these four differences, the three sequences are 100% identical. Applicants contend that a search with respect

any one of these amino acid sequences would uncover all art pertinent to the other amino acid sequences.

Applicants do not believe that any additional fee is required. However, the Commissioner is authorized to charge any deficiency to Deposit Account No. 13-2490. If the Examiner believes it to be helpful, the Examiner is invited to contact the undersigned representative by telephone at 312-913-0001.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Dated: June 6, 2008

By: /Donald L. Zuhn, Jr./  
Donald L. Zuhn, Jr., Ph.D.  
Reg. No. 48,710

## EXHIBIT A

	10	20	30
SEQ108	EPPTQKPKKIVNAKKDVVNTKMFEEELK SRL		
SEQ107	EPPTQKPKKIVNAKKDVVNTKMFEEELK SRL		
SEQ106	EPPTQKPKKIVNAKKDVVNTKMFEEELK SRL		

  

	40	50	60
SEQ108	DTLAQEVALLKEQQALQTVCLKGTRVHMKC		
SEQ107	DTLAQEVALLKEQQALQTVCLKGTRVHMKC		
SEQ106	DTLAQEVALLKEQQALQTVCLKGTRVHMKC		

  

	70	80	90
SEQ108	FLAFTQTKTFHEASEDCISRGGTLSTPQTG		
SEQ107	FLAFTQTKTFHEASEDCISRGGTLSTPQTG		
SEQ106	FLAFTQTKTFHEASEDCISRGGTLSTPQTG		

  

	100	110	120
SEQ108	SENDALYEYLRQSVGNEAEIWLGLNKVRSR		
SEQ107	SENDALYEYLRQSVGNEAEIWLGLNKVRSR		
SEQ106	SENDALYEYLRQSVGNEAEIWLGLNKVRSR		

  

	130	140	150
SEQ108	YFWVDMTGTRIAYKNWETEITAQPDPFNRE		
SEQ107	YFWIDMTGTRIAYKNWETEITAQPDP[N]NRE		
SEQ106	YFW[W]DMTGTRIAYKNWETEITAQPDPFN[N]E		

  

	160	170	180
SEQ108	NCAVLSGAANGKWF[D]KRCRDQLPYICQFGI		
SEQ107	NCAVLSGAANGKWF[G]KRCRDQLPYICQFGI		
SEQ106	NCAVLSGAANGKWF[G]KRCRDQLPYICQFGI		

  

	190	200	210
SEQ108	V		
SEQ107	V		
SEQ106	V		

---